

# News from Ed Markey

**United States Congress**

**Massachusetts Seventh District**

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## **BUSH ADMINISTRATION TURNS BACK ON CORPORATE MALFEASANCE, ENVIRONMENTAL ENFORCEMENT**

***Report Finds EPA Enforcement Actions Down Almost 50%, Total Costs Recovered from  
Polluters Down More than 80% under Bush***

**Washington, DC:** Representative Edward J. Markey (D-MA), senior member of the House Energy and Commerce Committee, today released a report entitled "Does Honesty Pay at the Bush EPA?" that uses EPA data to show that the Bush Administration has dramatically reduced Administrative environmental enforcement against polluting companies as compared to environmental enforcement actions taken during the Clinton Administration. Rep. Markey also released a letter to EPA Administrator Christine Todd Whitman urging her to increase environmental enforcement activities and requesting additional data.

"I am concerned that the dramatic reduction in numbers of and settlements for EPA Administrative Actions taken during the Bush Administration could lead polluting companies to conclude that it pays to pollute and that there is no incentive to stop," said Rep. Markey. "Just as weak oversight of corporate accounting led directly to misleading and fraudulent investment disclosure by companies like Enron, weak enforcement of our environmental laws will lead directly to rising pollution, tainted water supplies and dirty air. It is unacceptable for the new EPA menu to have plenty of specials for polluters, but leftovers for the families who must live next to polluting facilities."

On March 4, 2002, Rep. Edward J. Markey sent a letter to Administrator Christine Todd Whitman requesting a list of all EPA enforcement actions initiated or completed since January 1, 1998. EPA responded to Rep. Markey's request in late April, and provided a CD-ROM containing records for more than 20,000 enforcement Administrative and Judicial Actions taken by the EPA in response to violations of environmental laws and regulations including the Clean Water Act, the Clean Air Act, Superfund, the Emergency Planning and Community Right to Know Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Resource Conservation and Recovery Act, the Safe Drinking Water Act and the Toxic Substances Control Act.

Over the next several months, Rep. Markey's staff analyzed the data in order to compare environmental enforcement activities undertaken during the Clinton Administration and those undertaken by the Bush Administration. The results of the analysis indicate that there has been a dramatic decline in Administrative Actions taken by the Bush Administration to enforce and maintain compliance with the nation's environmental laws. Specifically:

- The Bush Administration initiated 40-50% fewer EPA Administrative Actions against polluting companies as the Clinton Administration did.

- The total cost of penalties and remedies recovered from environmental Administrative Actions initiated and settled against polluting companies by the Bush Administration dropped by more than 80% as compared to that recovered by the Clinton Administration (\$165,066,975 vs \$845,142,719).
- The average settlement cost of environmental Administrative Actions initiated and settled against polluting companies by the Bush Administration dropped by 62.9% as compared to that negotiated by the Clinton Administration (\$86,558.45 vs \$233,593.90).
- The ratio of the final settlement cost to the proposed penalty of environmental Administrative Actions initiated and settled against polluting companies by the Bush Administration was 1.72, compared to 7.13 for the Clinton Administration.

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